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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9

10 UNITED STATES OF AMERICA,)	No. CR-08-0359 MMC
)	
11 Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER TO CONTINUE CHANGE OF
12 v.)	PLEA/STATUS CONFERENCE
)	
13 ADOLFO HERRERA-VALENZUELA,)	
)	
14 Defendant.)	
)	
15 _____)	

16
17 A change of plea/status conference hearing in the above-captioned case is scheduled
18 before this Court for Wednesday, October 15, 2008 at 2:30 pm. Defense counsel, however, will
19 most likely be in trial on another matter at that time and will be unavailable for the change of
20 plea/status conference hearing.

21 Accordingly, the parties hereby jointly stipulate to continue the change of plea/status
22 conference hearing in this matter to November 5, 2008 at 2:30 pm.

23 The parties further stipulate and ask that time be excluded from the Speedy Trial Act
24 calculations from October 15, 2008, through November 5, 2008, for effective preparation of
25 defense counsel and continuity of defense counsel. The parties represent that granting the
26 continuance was the reasonable time necessary for effective preparation and continuity of defense

1 counsel, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(8)(B)(iv).
2 The parties also agreed that the ends of justice served by granting such a continuance outweighed
3 the best interests of the public and the defendant in a speedy trial. *See* 18 U.S.C. §
4 3161(h)(8)(A).

5
6 IT IS SO STIPULATED.

7
8 September 30, 2008
9 DATED

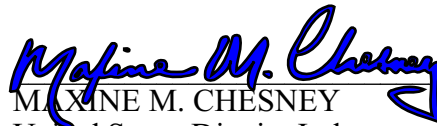
_____/s/
OWEN MARTIKAN
Assistant United States Attorney

10
11 September 30, 2008
12 DATED

_____/s/
JODI LINKER
Assistant Federal Public Defender

13
14 IT IS SO ORDERED. except the change of plea/status conference is continued to
15 November 12, 2008.

16 October 1, 2008
17 DATED



MAXINE M. CHESNEY
United States District Judge